GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD Department – Allegation of corruption and misappropriation of Government funds under various schemes by Sri P. Yohan, former Assistant Engineer, MP, Vinjamuru, Nellore District - Placed before TDP under Rule03 of the APCS (DPT)Rules, 1989 – Inquiry completed and IR communicated – Imposition of penalty withholding of Eight Percent (8%) cut in pension permanently – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.Rt.No.798. **Dated:26-08-2022.**
Read the following:-

1) Govt.Memo.No.385/VS-I/A2/2003-2 PR&RD(VS-I)Dept., dt:16-6-2003.
2) From the Secretary, Tribunal for Disciplinary Proceedings, Lr.Dis.No.S/13/2009, Dated:9-12-2009.
3) Govt.Memo.No.385/Vig.IA/2003-10, PR&RD(Vig.IA)Dept., Dt:18-3-2010.
4) Explanation submitted by Sri P. Yohan, former AE, MP, Vinjamuru, Nellore District dt:27.01.2015.
5) Govt.Memo.No.385/Vig.II/2003-40, PR&RD(Vig.II)Dept., Dt:15.02.2022.
6) From Engineer-In-Chief, PR, Vijayawada, Lr.No.Vig.III(1) /3379/2010, dated:25.04.2022.
7) Govt.Letter No.385/Vig.II/2003-41, PR&RD(Vig.II)Dept., Dt:31.05.2022.
8) From Secretary (FAC) O/o APPSC File No.GAD03-APPSC0DCC /35/2022-DC SEC-APPSC Computer No.1751443, dated 18.07.2022.

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ORDER:

In the reference 1st read above, Sri P. Yohan, former Assistant Engineer, MP, Vinjamuru, Nellore District (now retired) was placed on his defence before the Tribunal for Disciplinary Proceedings to conduct inquiry into the allegations of corruption and misappropriation of Government funds under Rule-3 of A.P. Civil Services (Tribunal for Disciplinary Proceedings) Rules, 1989.

2. In the reference 2nd read above, the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad has furnished the enquiry report in this matter in TEC No.150 of 2003 on the file of II Member of Tribunal for Disciplinary Proceedings, Hyderabad against Sri P. Yohan, former Assistant Engineer, MP, Vinjamuru, Nellore District (now retired). The Charge No.1 and 2 are held proved, in the inquiry by TDP. A copy of the Inquiry Report of the Tribunal for Disciplinary Proceedings, Hyderabad was communicated to Sri P. Yohan, former Assistant Engineer, MP, Vinjamuru, Nellore District (now retired) directing him to submit his explanation, if any, on the findings of the TDP Inquiry Report vide reference 3rd read above.

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3. In the reference 4th read above, Sri P. Yohan, former Assistant Engineer, MP, Vinjamuru, Nellore District (now retired) has submitted his explanation on the findings of the Inquiry Report of TDP. The contentions of the Charged Officer in respect of Charge No.1, it is observed that an amount of Rs.8,73,699/-was said to have been paid for digging 59 wells in the Villages of Vinjamur Mandal. The Charged Officer in TEC No.153/2003 i.e., Sri E. Srinivasulu is a Work Inspector for CI Wells in the O/o MPDO, Vijamuru Mandal, and it is his primary duty to verify the progress of sinking wells by each beneficiary. Check measurements have to be made from stage to stage. The payments will be made in accordance with the progress of work. The check measurement book indicates that digging of the wells from stage to stage has been entered and they were duly certified by the CO. Therefore, it is clear that the CO will connivance of other staff members was held responsible for drawing the amounts from the Government funds by means of all these cheques. Hence the Charge against the CO is held proved in the inquiry by TDP. The contention of the CO in his representation against the findings of TDP in respect of this charge merits no consideration and liable for rejection. In respect of Charge No.2, it is observed that the beneficiaries for construction of Individual Low Cost Sanitation Scheme are identified by the MPDO, and the individuals shall deposit Rs.200/- initially and subsequently, the Government after construction of latrines duly certified by the Charged Officer in respect of construction be paid Rs.2,200/- by means of cheque. Allegations are that amounts were paid to beneficiaries irregularly, they did not construct latrines. Therefore, the charge is proved against him. The Charged Officer stated that the prosecution has not filed any record to show that he caused monetary loss to the Government under JRY and Jeevandhara Schemes. As per the evidence, it is clear that he has not recorded wrong measurements in M-Books pertaining to the above scheme. Hence, the contentions of the Charged Officer merits no consideration and liable for rejection.

5. Government, after examination of the representation submitted by Sri P. Yohan, former Assistant Engineer, MP, Vinjamur, Nellore District (now retired) on the findings of the Inquiry Report of TDP, it is decided to reject, as there is no merits for consideration. Hence, it is hereby rejected.

6. Government after examining the matter, keeping in view of findings of Inquiring Authority, it has been provisionally decided to impose a major penalty of withholding of 8% cut in pension permanently against Sri P. Yohan, former Assistant Engineer, MP, Vinjamur, Nellore District (now retired), in this matter and accordingly vide reference 5th read above, show cause as to why the above penalty should not be imposed on him under Rule 9 of APRPR, 1980. But no explanation has been received from Charged Officer so far in reply to the show cause notice issued. It is therefore considered to proceed further and obtained the concurrence of APPSC vide reference 8th read above.

7. Government, after careful examination of the matter hereby order to impose a major penalty of withholding of Eight Percent (8%) cut in pension permanently under Rule-9 of APCS (CCA) Rules, 1991 r/w Rule-9 of APRPR 1980 against Sri P. Yohan, former Assistant Engineer, MP, Vinjamur, Nellore District (now retired), on the allegation of corruption and misappropriation of Government funds under various schemes.

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8. The Engineer-in-Chief, Panchayat Raj, Vijayawada shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P. Yohan, former Assistant Engineer, MP, Vinjamur,
Nellore District (now retired) (through ENC, PR, Vijayawada)
The Engineer-in-Chief, Panchayat Raj, Vijayawada (in duplicate with a request to obtain and furnish the dated acknowledgment of the orders)

Copy to:

The Secretary, APVC, Secretariat Building-5, Velagapudi.
The Secretary, APPSC, Vijayawada (w.r.t letter in Computer No.1751443, Dt:18.07.2022)
The Accountant General, A.P, Vijayawada.
The Superintending Engineer, PR, Guntur.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER